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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

-oOo-

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 JOSHUA WASHINGTON,

13 Defendant.

2:16-CR-279-JAD-PAL

STIPULATION TO RESET
DEADLINES

(Second Request)

14 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W.
15 Myhre, Acting United States Attorney, and Robert Knief, Assistant United States
16 Attorney, counsel for the United States of America, and Terrence Jackson, counsel for
17 Defendant Joshua Washington, that the deadline for the defendant to file objections to
18 the Report and Recommendation (ECF #76) be reset for September 18, 2017, or a date
19 thereabouts convenient for the Court.

20 This stipulation is entered into for the following reasons:

21 1. New defense counsel has been appointed and the additional time is
22 needed for counsel to become familiar with the facts of the case and evaluate, research,
23 and draft any pleadings related to the previously filed motions.

1 2. Defendant is in custody and does not object to the continuance.

2 3. For the reasons stated above, the ends of justice would best be served by a
3 continuance of the government deadline.

4 4. Additionally, denial of this request for continuance could result in a
5 miscarriage of justice.

6 5. The additional time requested by this Stipulation is excludable in
7 computing the time within which the trial herein must commence pursuant to the
8 Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(3)(A) and (h)(7)(A),
9 considering the factors under Title 18, United States Code, Sections 3161(h)(1)(D),
10 (h)(7)(A), (h)(7)(B)(i), and (h)(7)(B)(iv).

11 6. This is the second request for a continuance filed herein.

12 DATED this 30th day of August, 2017.

13 Respectfully submitted,

14 STEVEN W. MYHRE
15 Acting United States Attorney

16
17 /s/ Terrence Jackson
TERRENCE JACKSON
18 Counsel for Defendant

17 /s/ Robert Knief
ROBERT KNIEF
18 Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**
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3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 vs.

6 JOSHUA WASHINGTON,

7 Defendant.

2:16-CR-279-JAD-PAL

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER

8 **FINDINGS OF FACT**

9
10 Based upon the pending Stipulation of counsel, and good cause appearing
11 therefore, the Court finds that:

12 1. New defense counsel has been appointed and the additional time is
13 needed for counsel to become familiar with the facts of the case and evaluate, research,
14 and draft any pleadings related to the previously filed motions.

15 2. The Defendant is in custody and does not object to the continuance.

16 3. For the reasons stated above, the ends of justice would best be served by a
17 continuance of the defense deadlines.

18 4. Additionally, denial of this request for continuance could result in a
19 miscarriage of justice.

20 **CONCLUSIONS OF LAW**

21 The ends of justice served by granting said continuance outweigh the best
22 interest of the public and the Defendant in a speedy trial, since the failure to grant
23 said continuance would be likely to result in a miscarriage of justice, would deny the
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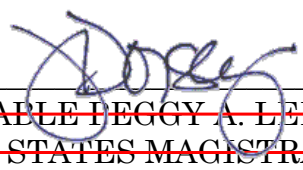
1 parties herein sufficient time and the opportunity within which to be able to effectively
2 and thoroughly negotiate the case and prepare for trial, taking into account the
3 exercise of due diligence.

4 The continuance sought herein is excludable under the Speedy Trial Act, Title
5 18, United States Code, Sections 3161(h)(1)(D), (h)(7)(A), (h)(7)(B)(i), and (h)(7)(B)(iv).

6 **ORDER**

7 IT IS THEREFORE ORDERED that the defendant's objections to the Report
8 and Recommendation (ECF #76) are due by the close of business on the 18th day of
9 September, 2017.

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11 DATED this 30th day of August, 2017.

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14 ~~HONORABLE PEGGY A. LEEN~~
15 ~~UNITED STATES MAGISTRATE JUDGE~~
16 JENNIFER A. DORSEY
17 UNITED STATES DISTRICT JUDGE
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